

DISTRICT OF COLUMBIA
STATEHOOD CONSTITUTIONAL CONVENTION

Public Hearing of the
COMMITTEE ON LOCAL GOVERNMENT,
INTERGOVERNMENTAL RELATIONS AND TRANSITION

6:20 p.m., Tuesday
April 13, 1982

Room 115, District Building
14th Street and Pennsylvania
Avenue, N. W.
Washington, D. C.

Attending

MARIE NAHIKIAN, Chairperson, Ward 1

TALMADGE MOORE, Vice Chair, Ward 5

BARBARA MAGUIRE, Ward 2

PHILIP SCHRAG, Ward 3

VICTORIA STREET, Ward 4

JANICE EICHHORN, Ward 6

WILLIAM BLOUNT, Ward 7

ABSALOM JORDAN, Ward 8

DAVID CLARKE, At Large

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P R O C E E D I N G S

MS. NAHIKIAN: The second public hearing of the District of Columbia Constitutional Convention Committee on Local Government, Intergovernmental Relations and Transition will come to order.

I would like to note that we have several Committee members and delegates here present. To my far left Delegate Philip Schrag, representing Ward 3; Delegate Barbara Maguire, representing Ward 2. To my immediate right, Delegate Talmadge Moore, representing Ward 5, and also Vice Chairperson of this Committee. I am Marie Nahikian, Chairperson and representing Ward 1.

Our first witness tonight is Mr. Howard Hallman, who is with the Civic Action Institute, and is from someone who has provided us some information that we have looked at previously, and we are very pleased to have you here to testify and talk with us.

Mr. Hallman.

STATEMENT OF HOWARD HALLMAN, CIVIC
ACTION INSTITUTE

MR. HALLMAN: I am happy to be here. I have been involved in governmental things all my life; I have never had an opportunity to testify to a constitutional convention

before, so it's a privilege to be here.

MS. NAHIKIAN: We have never had a chance to write one either.

MR. HALLMAN: Just to give you a perspective of where I am coming from, I have been involved over the years really in all arenas of government in the United States. I grew up in Kansas and went to the University of Kansas and did governmental research, mainly state government, but also state-local relationships. For thirteen years I have worked at the local level in Philadelphia and New Haven for citizens organizations and in New Haven I was a local governmental employee, seeing the state from that perspective. Frankly, we saw the state as the enemy, getting in our way of what we could do locally.

I came to Washington in '65, I spent one year, 1967, working for the U. S. Senate, studying the poverty program. I have avoided being a regular federal employee, although for one summer and part of a fall part time I was a consultant at HUD, so I was sort of inside the federal government.

But much of my work in the last fifteen or twenty years has been related to neighborhoods, and I have looked at different kinds of neighborhoods, form of governments,

involvement of neighborhoods in local affairs, and so I would like to speak partly from that perspective.

But in my experience I really have come to appreciate the federal system of government in the United States, and I would suggest to you that there are some ideas of federalism that are applicable as you write a constitution for the state of--whatever it's going to be, Columbia or whatever it may be. And if you wouldn't mind me going back a little bit to our founding days, because there are some very relevant things. James Madison, in his contribution to The Federalist Papers defending this new Constitution, made the point that the federal and state governments, he said, are in fact but different agents and trustees of the people, constituted with different powers and designed for different purposes; in other words, he was saying there was one people, but they had different agents, in this case the state and the national government, and they do different things. Therefore, carrying that over into the perspective of a city state, which is what I really think of as what you are dealing with. It's a single people living in this state, but they might choose to have different agents, one a state, which we now see as our city government, and one a government of a smaller territory. They would be different

purposes, and I would like to talk about the different purposes that might shape up.

After about thirty or forty years experience with this Constitution, Alexis de Tocqueville was here and wrote his monumental "Democracy in America," and he observed--he was trying to explain what was happening to the Europeans; he said the American citizen is a member of two distinct social structures connected and, as it were, encased one within the other--they were citizens of the federal government and citizens of the state. And we would carry it on further, they are also citizens of the local government. And therefore you can perceive of yourself as a member, a resident of the city, you are a citizen of the neighborhood or community district, however you might want to define it, but you are also a citizen of the city, or the city state. And it's one but it is also two social structures encased in one. You are also a citizen of different interest groups. But we think of government more geographic, so we are talking about the neighborhood or community district and also the city.

And that is a helpful way, it seems to me, to think of organizing local government within a city state, what we are talking about here.

The thing about it, in this two structures enclosed within one, it can also be looked at as a symbiotic relationship. This is a biological term in which two organisms live closely together in a relationship which is mutually advantageous. And that's how I think of neighborhoods and city. It's mutually advantageous to be one or the other.

Some people are projecting neighborhoods as, you know, those citizen activists that are storming city hall all the time and complaining and griping and don't take the city-wide view, or vice-versa, the neighborhood is saying the city doesn't understand our problems, and so forth. So some enmity grows up. And this tension is creative, but by and large the neighborhood and the city community are mutually dependent upon one another--you cannot have a city without neighborhoods; I don't know of any city now or in history that hasn't had neighborhoods, nor can you have neighborhoods unless you have the broader city in which you carry on many things.

So we look at federalism--and I would suggest that you might think of local federalism as the concept to apply as you write your local government articles in the constitution. There are lots of ways of defining federalism, and

different scholars have come up with essential traits of it, and there are five which I would like to mention.

In federalism--in this case we are talking about the small unit and the large, working together--each member unit must have independence with its own ambit of power; that is, the smallscale government must have independence to act, must have authority to act on whatever its assignment is--and we will talk about what they might do later on; while the city also has authority. They are interrelated but you have to have enough independence.

MS. NAHIKIAN: Excuse me, Mr. Hallman.

[Briefly off the record]

MS. NAHIKIAN: Please continue, Mr. Hallman.

MR. HALLMAN: Secondly, each member, that is, a local government and the state, needs to have control over financial resources, not all resources, but there has to be some resources which that local government--that the local government as well as the state can have.

Third, the political ability to fulfill its role. That is, it has some independence; it doesn't ask permission to do something; it has its own authority. It might be a bargaining relationship, a capacity to bargain with other units, and many of our political decisions in City Council,

in Congress, in the neighborhoods, are made by bargaining process, and not by one individual to say that's it; things are achieved by bargaining.

So in federalism--and we see it happening now where President Reagan and the governors are bargaining to carve up the federal system, at least those two aspects of it.

And, fifth, is willingness to cooperate across the governmental lines. In other words, federalism is a positive relationship--you may bargain, you may argue, but ultimately there is also cooperation. So city and neighborhood have to cooperate.

Given that, then you can ask, well, what form of local government should there be within the city state, what scale, what functions, how would it be financed? Should it be really small, called neighborhoods, or larger, as large as the wards, or community districts? For example, New York City, which is a much larger scale than here, has divided itself into sixty-one community districts, average about 125,000 each. Each of those has in it a number of neighborhoods, so you see, as I would use, a community district as a larger unit than a neighborhood.

And that depends whether the local government is

to be operational, that is, actually have service delivery functions, or is it merely advisory? If it's operational it might need to be a larger scale than if it is merely advisory.

And I would suggest that this would be desirable in the city state to have some operational sub-units of government, local governments. And just to introduce a different name into the discussion, let me use the word "borough." That's a well-established term in English government; Pennsylvania and New Jersey have boroughs which are carried over. But the government of Greater London is divided into a number of boroughs which have their distinct powers, and there is an overall London county council government, well, it's actually beyond the county now. So that this term, this two-tiered government, has used the term "borough." It's also used in Canada, Toronto, and some other places.

So let me suggest that there should be boroughs as local governmental units within the city state. How many, that requires a lot of careful consideration. I have a feeling--and it's not scientific--that the eight wards tend to get areas that are too big for operations, so it may be ten or fifteen boroughs. But that would need study. And

I would think a constitution would not necessarily be that precise.

And it could do things which you could do on a smaller scale than city-wide. Now, what you can do at scale is a very important one [sic]. E. F. Schumacher, who wrote the book, Small is Beautiful, and everybody thinks that all he believed in was small-scale stuff, didn't; he believed in intermediate scale and large scale. He said that for different purposes humankind needs many different structures, both small ones and large ones, some exclusive and some comprehensive. For every activity, he maintained, there is an appropriate scale; what is needed in all these matters is to get things sorted out.

A few years ago I was looking at the feasibility of neighborhood government, and I looked around at different examples around the country, and this book--I think it's on page 24--I came up with a table. I looked at it really pragmatically. There are, within some large cities, like Columbus and Cincinnati and Detroit, some enclave cities that are separate and incorporated--Highland Park in Detroit and some others--and what can they do, what practically can they do? Or you can look at the suburbs, which really have neighborhood governments in many cities, many states--what

— can they do? And I came up with a division of responsibility. It is administratively possible to have a police patrol for a 10,000 population. Now, I would not advocate dividing the District into 10,000-units, and having a separate police department; but it is possible. On the other hand, things like crime laboratory, training, communication, has to be for the large unit.

You can maintain the local streets and sidewalks and do the repairs, take care of the trees, streetlighting--units as small as ten or twenty-five thousand people; but for the highways and the traffic control you need the larger units.

You can collect refuse--the operational scale is one truck; that is the efficient scale. And you can even contract out your repairs. But you need a much larger unit to get rid of the stuff.

So you can go through all activities of government, all functions, and say some activities can be carried out at a small scale or intermediate scale, some at a larger scale. And as you do that you will find that there are many, many things which can be done very efficiently and effectively in units of, well, the wards, what do they average, about 80,000 people?

MR. MOORE: About eighty.

MR. HALLMAN: Of if you had a few more, 50,000 or 60,000 units--so there are some. But you could have true local government, borough government, carrying out these functions.

Now, as you did it, though, there would have to be functional collaboration between the boroughs and the city state; for example, the refuse collection, if you delegated that to the boroughs, the city state would have to handle the disposal. The local street could be taken care of by the boroughs, but the state would have to take care of the major highways and expressways. So there is a collaborative relationship, because boroughs are part of the state, and streets connect, different things are intertwined.

Now, I know when you raise that question these days about dividing into small units, inevitably in any city, and this one particularly, the specter of race and social-economic class arises, and let's put it on the table, because, you know, the 3rd ward is going to get everything if they have their own government, and they are going to cut themselves off; or the poor wards are going to get left out, and so forth.

So if you do move towards this kind of division of responsibility by geographic, you do have to face the question of equity; and it's a very important one in the organizing of government.

Equity, which I would define as basic fairness, should have three tests, it seems to me. First, equity demands equality of treatment; that is particularly in citizenship, one person, one vote, the right to vote, every person is entitled to vote, or every person is entitled to public accommodations and full access to employment opportunities and housing. Full equality, absolute equality, is one measure of equity.

There is another way, though, of looking at it. Equity requires equality of opportunity. And that may mean some unequalness in particular services. I mean, if you say that equality of opportunity for jobs is important, to fulfill that opportunity the equitable means would be to give job training, intensive service, to some people, but not to others, because in order to have opportunity you need a more intensive access.

Then the third measure is equality of results. For example, in the basic municipal service like refuse collection, some areas that are congested may need pick-ups

three times a week while another needs only two in order to have the same result, or the same amount of street cleaning. Or in the schools, in order to have the same results in terms of student achievement, there may need to be a greater input of resources for certain schools, and therefore equity and equality vary in that sense. Sometimes in order to achieve equity there has to be greater amount of resources or opportunities for certain segments.

So therefore, in devising any federated government for this state, with boroughs and the state government, equity has to be taken into consideration.

And particularly fiscal equity, because if the boroughs were to have enough of their own resources to have some independence within their ambit of power, there has to be an equity in the distribution of the financial resources available, and that means some redistribution by the state to the boroughs.

On the other hand, there could be certain basic taxes available; a share of the property tax could be available to the boroughs, and if you take away the responsibility for paying for certain services like education and housing from the property tax and make it only for the basic police patrol, fire protection, street maintenance and so forth,

the property tax is not all that inequitable; I mean, it is paying for the services to the property. There can still be some redistribution, but a borough could have as right a certain levy on the property tax. There can be shared revenues; for example, the sales tax, the income tax--can be divided among the state and its boroughs in some fashion that would have equity as its test. There can be grants and contracts, and this is particularly passing through federal funds, what's going to be left of them, like community development and housing and education and health, etcetera, etcetera, to the boroughs, on either a grant basis or a contract basis.

Then there could be service charges that a borough could be entitled if it chose to have certain extra services, to have the users pay for that.

So there are these ways in which the overall--and this should be the responsibility of the state government and the constitution should have provisions for requiring equity in the distribution of resources.

Then comes the question of who pays for what in this kind of a system. In my view, the national government and the state together should have responsibility for things like education, housing, job training, income support,

particularly those that relate to the redistribution of resources, either directly, as in income support, or indirectly, in education, because that is an opportunity that needs to be available for all.

So I would not look to a borough government to have a taxation for education, housing, income support, and so forth. Those are national-state responsibilities.

However, the boroughs might look for their tax base either directly or through earmarked shared revenues for basic services that they might be providing. If it's some aspects of police service or fire, recreation, small scale.

But it is important for the borough to have its own tax base and a guaranteed share of revenues in order for it to have, first, its independence with the ambit of power, and enough control over resources to have some political ability to function.

So that is one way, and that is the way I would advocate in terms of organizing the state in the constitution, to have true local government be provided. And with all due respect to you, what you call local government in this current draft is not local government; it has no powers to operate, it has no tax base and so forth. It's more an

advisory kind of operation. Now, that's a second alternative, and, if you do that, let me suggest that what you are doing goes in the right direction, but it doesn't go far enough. In a sense, what you are doing is building on the ANC's and with some changes, but not really substantial.

Now, there are a lot of cities around the country which have neighborhood councils, which are basically advisory, but they amount to more in the District currently, for several reasons. One is I think they are taken more seriously by the city government itself; they have a role which is more clearly defined, and the best ones are proactive. The current ANC's and your draft seem to be advisory things, but you are basically reacting to decisions, proposals made by state officials, rather than taking responsibility for themselves.

What needs to happen seems to me is a neighborhood council to take some responsibility and initiatives. And that blue sheet on the table is an excerpt of a guidebook we did on neighborhood planning process. And let me use that just as an illustration. If each neighborhood council each year defined its needs and priorities for that year, doing a very careful job, talking with citizens and so forth, to come up with what really seems to need to be done

in the neighborhood, to propose projects and activities-- and this should be done before the city budget, the state budget, is adopted, so that the neighborhood priorities and the projects they propose would go into the budget before the departments have made up their mind. In fact, the departments should be required to react to the neighborhood proposals. This is a process that is in operation in New York; in fact, there is a night each year in which nine or ten commissioners of departments spend the whole week talking with--twenty minutes each for each of the sixty-one community boards. So each community board talks with the ten major commissioners, and each commissioner talks with sixty-one boards. So there is this interchange. And this is really a true input, and not this big thick document that you have to testify for.

But this annual neighborhood plan also should define responsibilities, and that is what it expects the state to do, what it expects the private non-profit agencies to do, but what the neighborhood is going to do itself, the neighborhood council and the other voluntary things. We are too much these days looking government is going to do things and where is the citizen role and the neighborhood councils should say, all right, they can do these things, we

will react to their proposal, but this is our neighborhood, that is what we are going to do ourselves. And so this could be a component.

Lastly, it needs to have a definition of resources that are available to the neighborhood.

Either way, with complete local government through boroughs or to a very positive strong neighborhood councils, you will have this two tier of government, you will be electing people to a neighborhood council or to a borough, and the question you are struggling with I know is how do you represent people in the state legislature, does this relate to the sub-units, the neighborhood, or, in my proposal, the boroughs. I don't have any easy answer for that, but I would make this observation, that as we are two or three or four social structures encased in one--and in these days at least local government, national government, and the states, and some people also have county governments--in New York they have--you can live in a village, in a town, in a county, in the state, and the national--so there is really five governments which you vote for--general government, not counting the school board and so forth. So we are used to multiple citizenship in the United States. I think it's a darn good system. If I as a citizen, my city doesn't do

what I need, I go to the state, or I go to the national government, which is why so much has drifted to Washington, because the states have been negligent. So you can have citizenship that's multiple; you can also have representative--I have a representative in each of these different units of general government.

And my feeling is, the person I elect to represent me in the neighborhood or the borough, of, if I am living in an ordinary state, the city, the mayor does not represent me to the state or to Congress; but I go directly there. And therefore I think the federal government is saying that Americans have a veto over a grant to a neighborhood organization I think violates this basic notion that we are citizens of the federal government. And likewise it seems to me in designing this multiple representation, the two-tiered government, that you should not have a tier of representation, that citizens should not have to go to the state through a person they elect for the borough or neighborhood, they should have direct access to the state officials.

So that is my feeling on that combination.

But, again, and to conclude, back where I started from, we want people in the state, but we need different

agents to do different things and to do [sic] these different agents and different purposes, it seems to me it is appropriate to have a true local government as well as a state government.

MS. NAHIKIAN: Thank you very much. Let me initially ask if my colleagues have questions?

Delegate Maguire?

MS. MAGUIRE: I am really troubled; I enjoyed what you said, because, although I think we have incorporated in our draft some of the things you are talking about, I think the ideas are much different. And I guess I just have a direct question, which would be: at this point, in the District of Columbia, what do you--I mean, we won a functional local government and a representative local government. I don't know if you could give me some examples of what more we could incorporate into our draft that would give us more than advisory powers.

MR. HALLMAN: Well, you could say ---

MS. MAGUIRE: Aside from direct running of services, which I don't ---

MR. HALLMAN: Well, if you don't believe in direct running of services, you don't believe in local government within the state, because ---

MS. MAGUIRE: Do you think that that is realistic right now in D. C.?

MR. HALLMAN: Well, I don't know. I am not going to tell you whether it's realistic to have a state constitution go through Congress either. But I am telling you what seems to me to be a workable form of government, and that is the District bureaucracy is top-heavy, it's cumbersome, and that's true of not just Washington, D. C., but all the big cities--counties are getting that way, with huge things. In fact, you go around the country, the biggest building in town is often the county office building. You see what's happening at Fairfax and Montgomery and Prince George's--huge bureaucracy. And they become dysfunctional. In order to improve their function, they need to be broken up into more manageable units. It's cheaper. We had the mythology of economy of scale--the bigger you get, the cheaper it is. But the bigger you get, the more supervisors you have per people on the street actually delivering services.

It seems to me the District government needs to be broken up in order to be more effective to serve the citizens, and this can be done by having boroughs in which the services are more closely accountable to people that are

on the receiving end of them.

MS. MAGUIRE: And if that doesn't exist, you don't have local government?

MR. HALLMAN: Well, government is defined as having powers basically to have a tax revenue and delivery of services, and sometimes it might have a judiciary--not necessarily, because you can have a separation, but government is governing; it's having things to deliver. A neighborhood advisory council, which I think is a good thing, is not government; it's an advisory council within the framework of a larger government.

So if you are writing this into the constitution, you would say the legislature shall divide the state into municipal units, boroughs, whatever you call it, and shall prescribe powers and make them available financial resources on an equitable basis; I mean, you could have some general terms like that, or you could be specific. That depends on the style of the constitution you write.

I haven't sold you, but that's my view.

MS. NAHIKIAN: Delegate Moore?

MR. MOORE: Yes, Mr. Hallman, I want to thank you for a very definitive and informative presentation. However, I have some questions about true local government, and

I am concerned about the taxing authority, and also what would be your recommendations as to how we can implement our document here to include this autonomy of really services, negotiations, really being in a functional phase instead of the advisory phase.

What could we do with this document here? My question about the taxing is the taxing authority. I feel that maybe you can give me some advice on this, that we will have small units with the taxing authority, too much autonomy, they will probably have a conflict not only with the neighborhood communities, councils, or even the state government, because one person get a little bit too big and if they can raise enough money, then you may encounter problems. I think you should have someone that--some centralized or some one particular point, like the state, that has the ultimate authority. I don't think you can have a lot of little units having all this power, because I think you are going to get into a competitive thing there.

MR. HALLMAN: Well, I think to collect taxes efficiently and economically, you need state tax collection, probably assessment, property tax, and certainly for the income tax.

But you could also write into the constitution, to

— be carried out by acts of the legislature, distribution methods for this shared revenue, that of the income tax, half of it or a fourth of it or twenty percent shall be distributed to the boroughs on the following basis, taking into account, you know, population, some measure of income of the inhabitants, and so forth, against the population, whatever factors, and make that available. For example, it could even be done, earmarked by what we call block grants these days--it's sort of derogatory, but they can give each borough so much money for recreation, and there is no need for the District building to decide what goes on at the different playgrounds around the state. That can be easily delegated to local responsibility. Whatever functions you choose, you can define those responsibilities and give them discretion; on the other hand, recreation, if you need some city-wide recreation--so you need both, so that's why it is this interaction of the two units.

MS. NAHIKIAN: Delegate Schrag?

MR. SCHRAG: You said that in several areas we have the myth of economies of scale, and that in fact it would be cheaper to provide services through local units rather than centralized.

— Do you think that is true, for example, of garbage

collection?

MR. HALLMAN: I could not answer specifically, you know, these functions without studying them, but you do on a comparative basis, you can see the larger--they are sort of curves on population; as the population goes up, the cost--I guess it's this way, the unit cost comes down; and at another level--and sometimes it's around 25,000 to 40,000 it begins to level off, and then it's pretty steady; maybe out at 200,000 or 300,000 it begins to go up again, and you would have to look at each function separately.

MR. SCHRAG: What functions, if any, can you say are such that we are past the point where we can realize economies of scale by centralized delivery?

MR. HALLMAN: You mean where centralizing is inefficient?

MR. SCHRAG: Are there any areas where you can positively assert that here in this jurisdiction, the District of Columbia or the new state, we would be able to deliver services more cheaply by breaking up the bureaucracy?

MR. HALLMAN: I have not done the detailed studies to document it, but my impression is that things like some of the public works functions are that way; I think in the school system, you probably are overloaded with central

administrators. I see it in a lot of school systems. The welfare system I think is probably that way.

MR. SCHRAG: You say you haven't done the detailed study to document this.

MR. HALLMAN: In the District of Columbia.

MR. SCHRAG: In the District of Columbia. And yet you are suggesting that we put into our constitution, which is a document that is very difficult to change, a structure of local government and a mandate to the legislature, a direction to the legislature, to do this. Now, how can we do that without the detailed documented cost-benefit studies to back up that direction?

MR. HALLMAN: I would not specify the functions in the constitution. I would specify the governing principles for this division of responsibility.

But there have been studies--the Advisory Commission on Intergovernmental Relations over the years has looked at the question of area and scale, and there have been a variety of other studies--I can give you some citations which indicate where there is economy of scale and diseconomy for different activities within a functional area.

And the Urban Institute, among others, has done

studies, and so it is possible to define where you can be economical.

However, I think economy is important, but I don't think that's the main, sole, criterion of governments; I think the identity of the people, the quality of the service, which I think is superior, if it is closer to the people.

MS. NAHIKIAN: Delegate Eichhorn?

MS. EICHHORN: I think one of the concerns is that there are some mixed feelings about the Advisory Neighborhood Commissions. I served on one for four years which I think was very successful, and I think all of us, many on the Committee, served on ANC's, and all of us feel that ours have been successful. However, there is the view that city-wide there have been some mixed experiences, and there is some apathy and there is a general concern, I think, about delegating to local units certain responsibilities and then hoping that people will rise up to accept that kind of a challenge and serve in those roles. I support a much stronger provision than has been drafted by the Committee, although I think this is stronger than the present system we have.

But I have heard you say several things. I think

the problem is that the Committee is not sold on the benefits of that; it's just not sufficiently sold.

MR. HALLMAN: Well, that may well be, but I came here to offer you an alternate way to have true local government, if you are interested in local government. If you are interested in the unitary city state, then the second alternative is to find ways to strengthen the neighborhood advisory system, and I think one way I mentioned is the proactive way to provide that the neighborhoods have a plan, that they have input into the budget prior to its drawing up by the departments--and the budget is the key, because the budget document is the single most important annual policy decision of the year. And presently, except for maybe the CDBG hearings and things like that, there is not that much input at the early stage of budget preparation.

MS. EICHHORN: We looked at having coterminous service delivery districts with political boundaries and rejected that because our input from District government officials was that it would be very difficult to draw such boundaries.

I can't think of a way that we could have negotiated service delivery budgets, which I would like to see happen, if you don't have a boundary. I don't know how you

are going to ---

MR. HALLMAN: Don't let them tell you you can't draw boundaries that are coterminous. New York City has done it.

MS. EICHHORN: But much larger unit.

MR. HALLMAN: But that is still the same. In New York, the health districts are encompassed through community districts, in order to make that adjustment. It's not a cheap thing to do. In New York, when they did it, they found there was a police station off at the wrong place, and half of the refuse was supposed to be picked up on Tuesday morning, because--things around, so they had to repaint the signs, and that cost quite a bit of money. But it is administratively possible to have coterminous districts. It's difficult to make them jibe with the electoral districts because of the requirement of equal representation, and populations change and you would probably need stability in your service delivery. But you could approximate that.

MS. EICHHORN: Do you see that it is a big advantage?

MR. HALLMAN: Oh, definitely, because many municipal problems require more than one department to solve.

I don't know who takes the trash up from the playgrounds, but, you know, the police have to be involved, and if a playground director has to go one way for a supervisor and another way for this one, just getting things together and having a service delivery cabinet and meeting with the citizens has great advantage; it's done in a number of cities and it's working positively.

MS. NAHIKIAN: Delegate Jordan?

MR. JORDAN: Yes. I am mindful of the fact that you have made a point about true local government. My concern is the same one I have heard expressed by some of my fellow delegates when we discussed other issues. And that is we are going to have to have a constitution that is going to be approved by the citizens of the District of Columbia; they must see--let's put it this way, they must not feel threatened and they must not feel that this constitution is going to change their lives in a way that makes them feel they are going to lose anything.

I am reminded of a need that has been expressed on several occasions by various delegates that we have to look at our judiciary proposals with the potential of thought that the judges of our court system would oppose it. I am also using that example in what you represent for

us, and that is that Washington, D. C., the District government is the largest employer of blacks. It employs over 34 percent of the blacks in the city. So any reductions in jobs that you are contemplating as a result of sending the services out to be performed by local communities would necessarily have with it a social reduction in the number of jobs that are held by blacks. And also it would have a profound effect on those blacks who have recently become members of what we could call the middle class. And I am just wondering how does this comport with the idea or at least the concept that you are proposing and the need to sell this proposal, this constitution, to residents of the District of Columbia so that they won't feel that they will lose anything in the process?

MR. HALLMAN: Well, let me take up the last question first, and that is the point about blacks. It need not have that effect, because it seems to be only fair that if you are delegating certain current functions of the District that the employees who are fulfilling those functions should also be assigned to the boroughs; and I would never claim that you are going to have great reductions in force because of governmental reorganization, either centralized or decentralized, because it just doesn't happen.

If these were elected boroughs, most of them would have a black majority on the borough council, probably hire a black borough manager or elect a black borough mayor, whatever form of organization, so that employment I think would be pretty much the same.

Now, in terms of its salability, I think this could be explained and sold to people because neighborhoods, in spite of what people think about the ANC's, are very popular things. You ask people where they live, and they will give you the name of their neighborhood--and that is true in city after city. And they identify with what is close to them, and if they had an opportunity to work cooperatively with government officials in this more intimate scale, it could be a very popular thing. Now, it would take an educational campaign.

But I think it is salable, if you are committed to it and if there is substantial support for it within the Constitutional Convention.

MS. NAHIKIAN: I think we are going to have to move on, because we have a number of witnesses stacked up.

Mr. Hallman, I would just like to make one comment, and that is that we would appreciate if you were able to submit your comments in writing so it can become a part of

the record, and, secondarily, I would just like to mention that I share some of my colleagues' comments because, having been through a five-year effort to create a concept of neighborhood government in one of the neighborhoods of the District, the issue that I have not yet been able to come up with an answer for is how do you conceptually and from a principle put out that we want citizens to begin to take on responsibility when in fact that takes time to bring citizen participation up to a level that they can take on responsibility, which is the reason why I think in this draft we came out with basically a compromise with a home rule provision that does look to the future, for the kind of concepts you are talking to to possibly happen. It is a question of whether or not we can immediately make that transfer of power.

MR. HALLMAN: Well, if I have not sold you on the desirability of what I would call true local government, I would urge you to consider strengthening that provision by building in a role in the budgeting process so that there is a more positive--and I would also suggest that you might have a clause, in making the recommendations, that district or neighborhood councils state what they as citizens intend to do to improve their locality; you know, put it back on

the citizens as well as the responsibility of the state government. It is this interaction which is really crucial.

MS. NAHIKIAN: I appreciate your comments about budget. Some of our witnesses this morning also mentioned that they felt like we needed to specify a role in the budget.

Thank you very much.

Let me just note for the record that we have been joined by a number of the other delegates on our Committee. To my far left, Delegate Absalom Jordan, representing Ward 8; to my far right, Delegate Victoria Street, representing Ward 4, also our historian of the Constitutional Convention; and, next to her, Delegate Janice Eichhorn from Ward 6.

Our next witness is Dr. Ronald Walters who has shared his expertise with us previously, professor of political science at Howard University.

Dr. Walters, we are pleased to have you with us again.

STATEMENT OF RONALD WALTERS, PROFESSOR OF POLITICAL SCIENCE, HOWARD UNIVERSITY

DR. WALTERS: Thank you very much. Let me begin by making a couple of disclaimers. One, of course, is that

I have not been able to do the kind of research that a document like this requires, and therefore I am looking at this for one of the first few times. I regard it as a very clean document, a very thoughtful document, but I have not been able to apply my own research to it, as I would have wanted to. There simply wasn't enough time.

MS. NAHIKIAN: The record will be open for awhile, so you have time.

DR. WALTERS: Secondly, I am not an expert in local government. I have done some studies on certain aspects of it, but I tend more toward the political sociology of the question, in line with my own studies, rather than governmental structure.

I would like nevertheless to make a few comments on the document. As I said, I think it's a very good start by the Committee; the Committee is to be commended.

The first, under Section 1.A., one of the things that, for example, I would have wanted to do some work on, and I am assuming that the Committee has done some of this, is on the question of each of which shall be divided into three or four neighborhood districts. I am assuming that you have made a definite stand on this question of either three or four districts, and--you have not?

MS. NAHIKIAN: No.

DR. WALTERS: You have not. All right, then I will simply say that I come down on the side of there being three districts, because the question of maximum representation in those units. But here again I would hope that the question would be decided by some look at the question of the number of people in these projected districts and what that means in terms of representation compared with other political jurisdictions around the country.

I just happen to remember from my reading of the Constitution once that I think the initial division for the House of Representative members was something like 30,000. It just occurs to me that this might somehow reach it if you divided it into three rather than four.

Section B, each neighborhood district shall be divided into--and here I come down on the side of five. I would assume that that five plus one would make, then, six members of the neighborhood council districts. And here is a question of proportion; you have carved out the maximum number of districts within a ward, and then you have given the largest number of representatives within that large district, so that the question of proportion there is addressed. The question of having the maximum number of

representatives possible within that largest district is addressed, and I think that that is the best possible solution that one could reach. Here, again, I think that that is a question that ought to be studied eventually by some research into the question.

I want to jump down to the bottom of the page, compensation of members, and simply make a statement that my research into the Advisory Neighborhood Commissions indicated that one of the reasons why a number of the members did not function was because of course of this question of compensation, and I would hope that there is built into this-- it says: shall authorize such appropriations for the compensation of neighborhood council members as it deems appropriate. But also an adequate compensation level awarded to council members and the state legislators I think ought somewhere to be included in this, because I think what you are trying to reach is a structure of government where people involved in it are all compensated and therefore their contribution to their effort reaches the maximum, reaches the full-time maximum that they are able to give it.

We looked at the Advisory Neighborhood Commissions, the part-time nature of it, people simply didn't feel that they were being compensated to do all this work, just

to put it bluntly, and I think therefore in the new structure the intention to compensate people at a level reaching full time ought to be spelled out.

Under Section 5, one of the things that I have to contribute to this--it looks like we are reaching a consensus, at least some of what I have heard, on the question of having a budgetary role. Under the neighborhood council responsibilities, it says that they may advise the state government. And I have seen that language also in the mandates of the Advisory Neighborhood Commissions, and I think that the tentativeness of that language was one of the reasons why there was a feeling that there wasn't real responsibility in these units of government. So I would hate to see this sort of ambiguous language again written into a constitution.

If there is a budgetary responsibility here, I see no reason at all why that responsibility could not begin at the lowest level, so that here again each neighborhood council shall advise the state government through the appropriate ward council with regard to whatever. But certainly I would think that the budgetary instrument, as the previous speaker and others have said, is key.

I would go down to the end of the page, and simply

make a comment on the question of great weight, and the previous comment that I made before the Committee, I indicated that one of the problems with the Advisory Neighborhood system was the question of the lack of any redress, for the failure on the part of the executive agencies to consult. I see nothing here which improves upon that. Some of the same items are stated, particularly the great weight provision. Then there is the question of what happens if great weight is violated.

So I would recommend that there be some redress provision written into this constitution, and it could be of any character. I would favor, for example, something on the order of the ability of the ward councils to intervene in the process at any designated point where there has not been adequate consultation. The power of intervention, I think, is one which would then give the executive agency some pause, because they wouldn't then start on a course of policy without adequate consultation at all of the possible levels.

So that that power to intervene I think is extremely important.

MS. MAGUIRE: That is what we were looking for.

MS. NAHIKIAN: Several members--lights just went

off in our heads about an issue that we have debated very hotly.

DR. WALTERS: Even down to some of the exact words like "may" and "shall."

MS. NAHIKIAN: May and shall and the redress issue, that's the only reason why you are getting all this reaction.

DR. WALTERS: Okay, let me say finally on this section, under "Implementation," that I think it's--and I really don't have a comment here that is substantive except to note that the abolition of the Advisory Neighborhood Commission system, even at this stage where proposals are being put forward, I think many people would see this as a vote of a lack of confidence in the system; and I am really wondering if that is the intention of the Committee at this stage to broadcast that there is in fact a public lack of confidence in the system which has been established at this point, because the clear intention of the Committee to replace the Advisory Neighborhood Commission system should not be taken lightly. It is a judgment, and it will be read as a judgment on the current system.

So I am simply making that notation--I don't know whether or not the Committee has done this consciously; it's

logical to say, well, when we have this one structure, then the old structure will be abolished. But the fact that there has been no attempt to take the old structure to manipulate it into a new structure--and I know you are going to ask me how would I do that, and I don't have an answer--but to take the old structure and to manipulate it into a new structure is a comment upon what exists. And whether this document passes or not, the lack of that I think will speak volumes. And I am simply just raising a red flag.

And then, finally, on the section dealing with intergovernmental relations, at one point in the process of the Constitutional Convention, and I think it was December, when there was an institute over at the University of the District of Columbia, I had the occasion to make a statement on the international responsibilities of the District, and the extent to which these international responsibilities ought to to some extent be recognized in the constitution. The one issue that--there were a couple of issues, but the one issue that I talked about on that occasion was embassies and the location of embassies and the role of the District of Columbia in that process. That function has been abrogated, of course, by the basic responsibility of the federal government to be involved.

But there's no way I think we can get around the special character of the District and the responsibility that it may have in this area, so that under Section 2, "Cooperation with Other Governments," I think there ought to be some recognition of a cooperative role with the federal government in this regard, in the international field, because we have not only embassies and chanceries, we have a whole range of international agencies, and I think that the District differs from other cities in this regard.

If I had my 'druthers, I think I probably would like to see some sort of intergovernmental commission which is part federal, part state, to deal with these questions of the responsibilities of the District government and the federal government in this area of international community, and I think that such a commission could be a negotiating arena where these things could be worked out and decided.

But I don't think that it is possible to write that into a constitution, of course, without prior consultation and all sorts of things. But I think at least a level of cooperation could be noted in language in the constitution.

MS. NAHIKIAN: Okay, thank you. Questions? Delegate Street.

MS. STREET: I would like to ask you, Professor Walters, your opinion of the eight wards or districts.

DR. WALTERS: Yes, I think the eight-ward scheme is perfectly all right. I think the problem, as I see it, and I am not an expert on the demographics of the District, but I do recall the problem of fluctuating population. And I think that's another variable which enters into this whole question of representation, because if you look at the difference between, for example, the 1970-80 Census, which I have no in some detail, but I recall that the District has lost population, that some of these wards have lost population faster than others. So that you always have a problem here of maintaining the proper population balance in any political jurisdiction that you put together. Now, there is very little that you can do about that.

But I think in structuring this you have got to take some of this under consideration. You strive to get political jurisdictions that are equally populated. But I think at the same time you have to take under consideration what source of demographics there are [sic] in those political jurisdictions which might alter the problem of representation. And I think the population-loss factor is one that one has to look at along with some others. But I

think that the principle of having eight wards is fine. Or eight counties, or whatever.

MS. NAHIKIAN: Delegate Schrag?

MR. SCHRAG: I have three quick questions. One is on the word "may" that you flagged for us in Section 5.A. The reason we put that there, after considerable debate in the Committee, was the concern that if we required the neighborhood council to advise the state government with respect to all of these things, we might find a neighborhood council overburdened by having to deal with all these different areas at once, and a citizen might claim that he or she had recourse in the courts perhaps against the neighborhood council for refusing to deal with his or her particular issue.

And we thought it desirable to give the neighborhood councils discretion as to which matters they took up through the ward council with the state government.

Now, do you accept this rationale for the word "may"? Do you think that nevertheless we should require the neighborhood council to deal with all of these areas? What is your response to that?

DR. WALTERS: Well, I think that the problem is a bit overdrawn; I mean, I don't see how a citizen would sue

the council simply because it hadn't dealt with one of these or many of these issues. I am not aware that that is something that has happened, where there have been these political jurisdictions, like Advisory Neighborhood Councils or other such. But given the problem, I would go back to this question of the budget, because I think that's basic, and I would say if I had to specify an area in which there would be mandatory consultation, then I would say that that would be the one area.

MR. SCHRAG: That's my second question. The question is--I think there's a great deal of sentiment in this Committee for giving the neighborhood--giving the local government some duty of making recommendations with respect to the budget. Should that be the neighborhood council on its own, the neighborhood council advising through the ward council, so that all the neighborhoods in the ward coordinate their budget recommendation, or the ward council, which is close to being the same thing, that is, it's all the neighborhood council members meeting together as a ward council.

Which is--should we do it in Section 5 or Section 6, is what it comes down to?

DR. WALTERS: I think Section 5. I think the

wording here as it exists is all right--through the appropriate ward council. And then the ward council will sit as a sort of plenary body and make the final determination--it's sort of like the Board of Estimates in New York, model, except that they don't have block or neighborhood consultation on the budgetary process.

But it comes up to the ---

MR. SCHRAG: They talk to the neighborhood [inaudible].

DR. WALTERS: Yes. It comes up to the borough, and then they finish it off.

MR. SCHRAG: My final question is on your recommendation with respect to the power to intervene. Do you mean intervene in the courts, is that what you mean?

DR. WALTERS: No, I mean intervene in the stage at which the policy or procedure or city activity is at that moment that it is discovered that there has been a failure to consult.

MR. SCHRAG: I don't quite understand what you mean. Let's say that we have a zoning matter.

DR. WALTERS: All right, it goes before the zoning board.

MR. SCHRAG: The neighborhood commission loses at

the zoning commission and feels that its views were not given great weight. What should be its recourse?

DR. WALTERS: It loses and feels that it ---

MS. EICHHORN: That's not a good example.

DR. WALTERS: Yes, that is not a good example, because that really involves consultation of a sort; I mean, there hadn't been a failure to consult on the zoning.

MS. EICHHORN: Can I ask another example? Take the planning for a Metro stop.

DR. WALTERS: Yes, that's a good one. I think that you have got at least three layers of government there that get involved in a decision like that, and I think that the power to intervene could take place at either one of those levels. That is the kind of intervention that I am talking about.

MR. SCHRAG: What do you mean by "intervene"? Do you mean just to go see the mayor and talk to him?

DR. WALTERS: No, I mean a formal process of intervention, that the ward could give notice that it was not consulted; and if it has constitutional weight, then the process of consideration of the issue stops until such time as there is proper consultation.

I can't give you the legal formulation of . . .

intervention, but certainly it seems to me that giving notice that there was not proper consultation is the first step, and then at that point any further consideration of it ought to stop. If you are talking about stops on the bus or anything else, consideration of it ought to stop until there is proper consultation.

MR. SCHRAG: I guess I am not clear on why the present draft doesn't do that. It requires notice and consideration of comments, and I don't understand what is missing in this that you would add that you are calling intervention.

DR. WALTERS: Well, the language in the Advisory Neighborhood Commission also did the same thing; it required a process of consultation, except that there wasn't always consultation, and the Commissions had no recourse. The question is what if the agencies simply refuse to do it, as they did all the time? And I am saying that the language is here which requires consultation, but so what? What if the agencies don't do it?

There is no recourse built into the law.

MS. NAHIKIAN: Delegate Moore?

MR. MOORE: Talmadge Moore, Dr. Walters. Presently the Advisory Neighborhood Commission has an advisory

capacity in a representational phase for the people in their respective SMD's. What additional powers would you recommend that the present structure, presently in [inaudible], should have in our new state?

If you would give them more power, what power would you allocate to them, or recommend that they should have?

DR. WALTERS: Well, I hesitate to step over the line between advice and actually running programs. As a matter of fact, I think I said the last time I was before you that I wouldn't come down on the side of these Commissions running programs, for many reasons. I think many of them--and I won't go over them--have been stated here.

My feeling was that it would be too expensive, and I am sensitive to the fact that you may have a diminishing curve, but initially it would be very expensive to create seven autonomous units of government. And there are the political-sociological questions, race perceptions and equity. It's just a tremendous ball of wax to step over that line and begin to have these various political jurisdictions run programs.

So I am for giving as much and as fundamental a basis of consultation as possible, and then charging the city administration with the program running.

MS. NAHIKIAN: State administration.

DR. WALTERS: State administration.

MS. NAHIKIAN: Delegate Jordan?

MR. JORDAN: I want to go back to this issue of intervention, so I can clear up in my mind--because somehow we will have to draft some language if we intend to deal with this sort of thing. [Inaudible].

I can see there is some sentiment on this Committee for intervention at some point, but I would like to see if we can kind of put it in the context that we can express verbally. What you are saying, if I understood you correctly, is that if the government fails to adhere to Section 7.B., that if notice is served on the government that this section has not been adhered to, that the process must stop then.

The next step you have to ask is whether the government still ignores it. You see, I think ultimately what we are asking is--maybe what I am saying is why not have the capacity to intervene into the courts?

DR. WALTERS: Well, I think you could create a litigious situation that could tie up the government I think in any--well, let's just assume you had eight units suing the government of the District of Columbia for one thing

or another. Ultimately it might come to that, but I could see a situation that would be untenable; I would hate to try to write down what we mean at this point by--specifically by "intervention," but, for example, I could foresee a process whereby the intervention would be good for a date certain, thirty days, fifteen days, a week; I could foresee a process of negotiation on the part of the ward and other levels of government which would say that there could be some consensus as to whether or not due notice and due consultation has or has not occurred, as a first step.

So I think it's possible to write a reasonable, logical process down which would not make the ward district a tyrant and, collectively, would not give them so much power that they could tie up the government altogether.

MS. NAHIKIAN: Delegate Eichhorn.

MS. EICHHORN: As I understand what you are saying, in the planning process if the neighborhood council is not involved, if they know the planning process is going on they can demand to be consulted.

DR. WALTERS: Yes.

MS. EICHHORN: And if they are not, or if they are unaware that it is going on, when they are presented with the completed plan, at that point they can say we were

not consulted.

DR. WALTERS: Right, before it becomes law. And I think a rational series of steps can be written which could deal with that process.

MS. NAHIKIAN: Wasn't that the situation--I mean, Delegate Eichhorn is talking about a planning process. What about the situation where X Bar applies for a liquor license, ABC license, and the ANC or the neighborhood council is not consulted. The Board grants the license.

MS. EICHHORN: That's illegal now.

MS. NAHIKIAN: Oh, I understand that, but I am trying to get to the point of redress. The Board grants the license, the ward council then intervenes, gives notice that the neighborhood district was never consulted, and in fact they are hot and furious in their feelings about this particular establishment getting a liquor license, where then is the point of redress.

I mean, I am assuming that our draft leaves open the possibility for that ward council, or the neighborhood council, to in fact intervene legally with, you know, some kind of court action to stop or to take away or whatever that liquor license until that neighborhood council is consulted.

The question I have is what kind of--I guess I am struggling for language about how you would put that issue of redress actually into the constitution.

DR. WALTERS: What I am saying is that at this point I think we really ought to bring in the lawyers on the language and write that, because I am not able to write it in the kind of language I think would satisfy you right now. I could give you a process right now, but I think that actually writing the language and specifying all that has to be done, ought to be done in another session.

MS. NAHIKIAN: We may be calling you. Other comments? Delegate Schrag?

MR. SCHRAG: Sorry to keep the witness on this same point, but it is an important one where I think the Committee is having a real dialogue with him, and we are really taking your comments very seriously.

I don't think it is nearly a matter of finding the right words; I think the Committee members are interested in pinning down that concept and finding out exactly what you have in mind procedurally, not in terms of the drafting of the words--but procedurally what are you saying should happen if the neighborhood is not consulted in the way it thinks it should be consulted? Now, we all have a

picture of going to court, we know what that is, and you seem to be a little shy of taking that ultimate step.

DR. WALTERS: Yes.

MR. SCHRAG: And I don't know what the step is, but at least we understand that one--I don't know what the step is short of that that you are recommending.

DR. WALTERS: Let me just cite a difference of interpretation here. What I began with was the basic assumption that these political jurisdictions were called upon to advise. What I tried to address was the question of what happens if they don't get an opportunity to advise. Now, that's the level at which I have tried to deal with it.

Now, I think the Committee has gone beyond that, to the problem, and they are asking me how do we get redress on specific problems. And that is another question. So I want to make a distinction between that question, which I am having trouble with, because you are pushing me all the way into the courts, and the limited question which I tried to solve, which was the question of what happens if the political jurisdiction does not get the opportunity to in fact advise.

MS. NAHIKIAN: I suspect this is a concept we are going to have to continue to wrestle with, because it is

obviously something that we have wrestled with in this draft. I mean, if I had my ideal world, I probably would go to wanting to see eight, you know, municipalities or eight villages or eight townships with a lot of decentralization and independence. The question is how do you make that transferral in the process from where we are today to where we go in the future.

DR. WALTERS: I don't think there is any other step that you can take, if you don't get redress on a problem, but to go to court. I mean, that's the only other logical step you can take, but I really wasn't dealing with that problem.

MS. NAHIKIAN: Delegate Moore?

MR. MOORE: I have one other point, Dr. Walters. I just spent yesterday afternoon, four hours, from 1 to 5:30, with the Board of Adjustments in this same building here with reference to this same thing we are debating now as to the ANC's not being heard, and they have a system where they are changing the rules on the Board of Adjustments--and the same issues are coming up, about the NAC's not having redress, not being heard, not being able to cross-examine witnesses and things of this nature. And it is really a big thing and it is an important thing,

as to the stand of the ANC's.

DR. WALTERS: And I would think that that would be really very fertile ground to go in and see what the problems are and what eventually is recommended, because I think a lot of that could be adopted.

MR. MOORE: As a matter of fact, it's a two-day hearing--to be continued.

MS. NAHIKIAN: Thank you very much, Dr. Walters. I hope maybe you might be willing to come back to a Committee session next week and help us wrestle with this concept of redress.

DR. WALTERS: Sure.

MS. NAHIKIAN: Because I think you would be helpful.

Thank you.

Our next witness, we are very pleased to have Mayor Herbert Jackson, who is the mayor of Glenarden, Maryland, and probably has much more experience in these issues of local government than any of us have.

Mayor Jackson, thank you very much for being here, and we are very appreciative of your taking your time to come and maybe try to teach us something about local government.

STATEMENT OF THE HONORABLE
HERBERT JACKSON, MAYOR,
GLENARDEN, MARYLAND

MR. JACKSON: I thank you for inviting me; I consider it a pleasure. I would like to throw out the same caveat that that the good doctor threw out in his comments. I really didn't have a chance to go through it, the document, in as much detail as I would have liked, but I agree with everything he said. If I had to say it, I would say it the same way he did.

I find it interesting, your last dialogue, and it's something that we wrestle with quite often. And the basic question I guess is how do you bring the government to the people? And I guess that is what you are really trying to do through these neighborhood action groups, and it is something that we deal with very intensely; and, on the other hand, how do you allow the government to govern without its hands being tied, other than the kinds of day-to-day things that you are involved in--police action or the like.

It is very difficult to address all of the specifics in a document of the sort that you are wrestling with, and we at the state level and county and municipal

level have a little more advantage in terms of experience as well as, particularly a community like Glenarden, 5,000 people, including chickens, cats, and dogs--and one of the things that we try to do, in the question you are raising about equity, and this last problem, if it is of any value to you--it's not addressed here--is addressing the issue of petitioning the government. We have had even one of our councilmen petition against a law that was passed by a previous council just recently. This particular councilmen went out and walked the streets and got support from other citizens and got the proper signatures, and the council did not like it, but over and above that the petition was both legal and in place, and they had to swallow hard and accept it.

The petition issue was something that the council passed on replacing a council person when a vacancy occurs; the council wanted to do it themselves and they passed the legislation that would allow this. And the particular councilman took issue with that and proposed that the citizens should do this. So the issue will go on referendum in our next election and let the citizens decide yay or nay whether they will have a voice on a special election to fill in a seat.

The basic thing I think I am trying to say is, without trying to address all of the specifics as you were just wrestling with, I think the petition route, addressing that in some way, both in terms of the citizens and the neighborhood councils allowing this to happen, would address the specifics as they occur.

MS. NAHIKIAN: That may solve the redress problem. If I could just ask you a couple of questions that I think would be of benefit to all of us, you said that Glenarden is a municipality of 5,000 people. What kind of services do you provide as a municipality to your residents?

MR. JACKSON: We have--let me go on a little bit about the history of Glenarden, a short history. Glenarden was incorporated in 1939 as a result of being a small black community of citizens who were not getting services from the county, and they elected to tax themselves to provide those services. We do have a police department; we do have our own garbage services; we have a youth service--we have kind of a miniature of what you have here with certain other services not being supplied; we do still have to depend upon the county for a degree of police services. Now, the problem is that we are wrestling with with the state legislature trying to get their support is double taxation, and that is